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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 09/924,944 Art Unit: 1642
Applicant: Douglas C. Harnish *et al.* Examiner: Misook Yu
Date Filed: August 8, 2001 Conf. No. 2000
Docket No. 36119.156US3 Cust. No. 23483
Title: Assay to Identify Estrogen Receptor Dependent Ligands That Regulate
the Hepatic Lipase Promoter

CERTIFICATION UNDER 37 C.F.R. § 1.10

- I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Brenda L. Robles
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants and their legal representatives hereby make of record on the attached PTO Form-1449 the following publications, which are known to them and considered warranting disclosure under 37 C.F.R. § 1.56.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b)(4) before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114.

Copies of each of these publications, excluding the U.S. Patents and applications, are enclosed. If the Examiner requires copies of any of the documents that have not been enclosed herewith, she is invited to contact the undersigned agent for the Applicants.

Applicants also note that they are not aware of the publication of the Abstract for Oral Presentation (A16) provided to the Committee that organized the Mid-Atlantic Research

Symposium (March 4-6, 1998, Atlantic City, N.J.). Thus, Applicants respectfully aver that the Abstract is not a "printed publication" under 35 U.S.C. § 102.

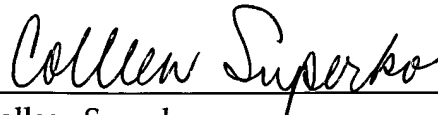
It is respectfully requested that the information above be expressly considered during the prosecution of this application and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom. *In this regard, it is requested that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next Patent Office Communication.*

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art. If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

No fees are believed to be due because this Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b)(4); however, if any fees are due, the Commissioner is hereby authorized to charge any fees necessary to maintain the pendency of this application to Deposit Account No. 08-0219.

Respectfully submitted,



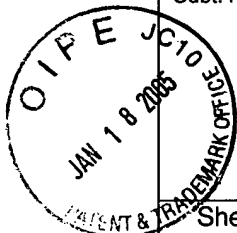
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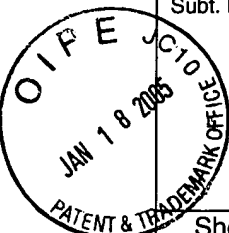
Subt. For, PTO-1449				Docket Number 36119.156US3		Application Number 09/924,944	
INFORMATION DISCLOSURE IN AN APPLICATION (Use several sheets if necessary)				Applicant Harnish et al.			
				Filing Date August 8, 2001		Group Art Unit 1642	
Sheet	1	OF	2				

U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	09/924,948	N/A	Harnish et al.	N/A	N/A	Aug 8, 2001
	09/924,945	N/A	Evans et al.	N/A	N/A	Aug 8, 2001
	08/906,365	N/A	Bhat et al.	N/A	N/A	Aug. 5., 1997
	10/745,379	N/A	Bhat et al.	N/A	N/A	Oct. 22, 2003
	5,721,138	Feb 24, 1998	Lawn	435	325	May 15, 1995
	6,448,019	Sep 10, 2002	Mendelsohn et al.	435	7.1	Oct 1, 1999

Foreign Patent Documents							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)		
A1	Achatz, G. et al., Molecular and Cellular Biology, 1997, Vol. 17(9), pp 4914-4932.	
A2	Boffelli et al., J. Biol. Chem., 1999, Vol. 274, pp 15569-15574.	
A3	Cooney et al., J. Virol., 1991, Vol. 65, pp. 2853-60.	
A4	Dynan et al., Nature, Vol. 316, 1985, pp 774-778.	
A5	Farish et al., Br. Med. J., 1991, Vol. 303, p 694.	
A6	Klinge et al., J. Biol. Chem., 1997, Vol. 272, pp.31465-74.	
A7	Malik, S. et al., Nucleic Acids Res., Vol. 23(9), 1995, pp 1536-1543.	
A8	Murai et al., Atherosclerosis, 1986, Vol. 59, p 199.	
A9	Nunez et al., Mol. Cell. Endocrinol., 2002, Vol. 189, pp. 191-199.	
A10	Oka et al., Gene, 1996, Vol. 180, pp. 69-80.	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.	



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Sheet	2	OF	2				

	A11	Orth-Gomer et al., Circulation, 1997, Vol. 95, p 329.
	A12	Pereira et al., J. Steroid. Biochem. Mol. Biol., 1995, Vol. 53, pp. 503-508.
	A13	Rymer et al., Acta. Endo., 1993, Vol. 128, p 259.
	A14	Seed et al., NEJM, 1990, Vol. 322, p 1494.
	A15	Tam, S. et al., Journal of Biological Chemistry, Vol. 260(3), 1985, pp 1670-1675.
	A16	A copy of an Abstract submitted for oral presentation by Dr. Doug Harnish at the Mid-Atlantic Lipid Research Symposium held on March 5, 1998 (Atlantic City, N.J.). " <i>Estrogen Receptor Regulation of Apolipoprotein(a) Gene Promoter in HepG2 Cells.</i> "

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